

May 18, 2012

Marlene H. Dortch, Secretary
Federal Communications Commission
445 Twelfth Street, SW
Washington, DC 20554

Re: *Ex Parte* Presentation, ET Docket No. 08-59
Amendment of the Commission's Rules to Provide Spectrum for the
Operation of Medical Body Area Networks

Dear Ms. Dortch,

On May 17, 2012, the following representatives met with Commissioner Pai, Matthew Berry, his chief of staff, and Gene Fullano, his Acting Legal Advisor, to discuss the above-referenced proceeding. Philips Healthcare: Delroy Smith, Principle Scientist; Paul Coss, Director Marketing, Emergency Care; & David Siddall, counsel; GE Healthcare: Mike Harsh, Chief Technology Officer; Orrin Marcella, Manager of Government Relations; & Ari Fitzgerald, counsel; Aerospace & Flight Test Coordinating Council (AFTRCC): Joe Cramer, Boeing; Chip Yorkgitis, counsel to Raytheon; & Ken Keane, counsel to AFTRCC; American Society for Healthcare Engineering of the American Hospital Association (ASHE): Mark Gibson, Comsearch; & Tim Cooney, counsel.

The first part of the discussion focused on how the spectrum currently is used on a primary basis for aeronautical telemetry to test aircraft. The details of the spectrum sharing arrangement negotiated by the parties were discussed in general terms. It was noted that we have been advised that the joint proposal negotiated by the parties and submitted to the Commission has been revised in a number of respects, but that the revisions were undertaken with an eye toward preserving the parties' intent as reflected in the joint proposal. The text of the rules proposed by the staff will not be available until adoption and release, so while the nature of the changes described to us indicates that the proposed rules appear to allow for an effective technologically-based sharing arrangement between primary aeronautical telemetry and secondary Medical Body Area Networks, the parties are not in a position to offer any definitive views until reviewing the text when released

During the second part of the discussion the functions and advantages of the envisioned MBAN systems were described. Implementation of MBANs is expected to help speed diagnosis, allow earlier intervention, solicit faster response, and ultimately improve patient care and reduce healthcare costs. The advantages of the planned seamless transition from hospital to home with continuous monitoring will help to permit earlier releases. The enhanced ability to predict and more quickly detect adverse events with MBAN systems promises significant improvements in patient care.

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Philips expressed concern that the uncertainty introduced by the spectrum coordinator appointment process will delay introduction in hospitals of complete wireless MBAN systems, and has requested that the Commission articulate a clear self-imposed deadline for appointment(s) of no later than May 1 (or June 1) 2013, which the staff has suggested is a generous period of time to complete the process. Doing so would provide everyone involved specific expectations and facilitate funding of the activities necessary before these new systems can be introduced. There also was discussion that the Further Notice on coordinator selection criteria most likely will solicit comment on whether only a single coordinator should be appointed. Due to healthcare circumstances, a single coordinator would be desired in this circumstance.

Respectfully Submitted,

/s/

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